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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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EXAMINER

HIRL, JOSEPH P

ART UNIT PAPER NUMBER

2129

DATE MAILED: 04/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/645,290

Applicant(s)

GORDON ET AL.

Examiner

Joseph P. Hirl

Art Unit

2129

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date A1, A2.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-25 are pending in this action.

Specification Objection

2. Cross-Reference to Related Applications must be updated. At ¶ 0001:2, delete "Application No. 10/100,714" and insert –No. 6,959,294–.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Wu et al (USPN 6,959,339, referred to as **Wu**).

Claim 1

Wu anticipates at least one help library storing a plurality of help topics therein, the help topics being accessible to a user from the help library by way of

the computer (**Wu**, c 7:63-67; c 8:1-7; Examiner's Note (EN): ¶ 8 applies; help topics are any subject matter of value to a user); and a central store storing topic metadata corresponding to help topics available from each help library, the central store in response to a search request from the help engine locating topic metadata relevant to the search request and returning information from the located topic metadata (**Wu**, c 8:52-67; c 9:1-3; c 10:57-67; EN: the digital library functions both as the central store and the help library).

Claims 2, 24

Wu anticipates the search request includes search keywords, each piece of topic metadata includes keywords, and the central store returns information from pieces of topic metadata containing the search keywords (**Wu**, c 8:52-67; c 9:1-3; c 7:63-67; c 8:1-7).

Claim 3

Wu anticipates the returned information corresponding to each piece of topic metadata includes a summary of the corresponding help topic and an address by which the corresponding help topic may be located in the particular help library, whereby the user may review the summary and if desired based thereon access the help topic from the help library (**Wu**, c 8:52-67; c 9:1-3; c 10:64-67; c11 c1-7; EN: ¶ 8 applies; address is provided by the DB2 system).

Claim 4

Wu anticipates for each help topic available from a particular help library, the central stores has stored therein corresponding topic metadata including a summary of

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the help topic and an address by which the help topic may be located in the particular help library (**Wu**, c 8:52-67; c 9:1-3; c 10:64-67; c11 c1-7; EN: ¶ 8 applies; address is provided by the DB2 system).

Claim 5

Wu anticipates for each help topic available from a particular help library, the central stores has stored therein corresponding topic metadata 46 further including a set of keywords by which the help topic an be searched for and a set of attributes by which the help topic can be filtered (**Wu**, c 8:52-67; c 9:1-3; c 10:64-67; c11 c1-7; EN: ¶ 8 applies; EN: filtering is achieved by the use of keywords and text).

Claim 6

Wu anticipates each help library includes for each help topic available therefrom a summary of the help topic and an address by which the help topic may be located in the help library (**Wu**, c 8:52-67; c 9:1-3; c 10:64-67; c11 c1-7; EN: ¶ 8 applies; address is provided by the DB2 system).

Claim 7

Wu anticipates each help library includes for each help topic available therefrom a set of keywords by which the help topic an be searched for and a set of attributes by which the help topic can be filtered (**Wu**, c 8:52-67; c 9:1-3; c 10:64-67; c11 c1-7; EN: ¶ 8 applies; EN: filtering is achieved by the use of keywords and text).

Claim 8

Wu anticipates each help library has an update interface, the architecture further comprising an update engine for periodically requesting an update of topic metadata

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from each of the help libraries by way of the update interface thereof, for receiving the update by way of the update interface thereof, and for storing the update in the central store (**Wu**, c 9:42-49).

Claim 9

Wu anticipates the central store includes the update engine (**Wu**, c 9:42-49; EN: ¶ 8 applies; central store is part of the library).

Claim 10

Wu anticipates the update as received by the update engine from the update interface of each help library is a complete set of topic metadata corresponding to all help topics available from the help library (**Wu**, c 9:42-49).

Claim 11

Wu anticipates the update as received by the update engine from the update interface of each help library is a delta set of topic metadata corresponding to all changes to help topics available from the help library since a previous update (**Wu**, c 9:42-49; EN: such is a standard update).

Claim 12

Wu anticipates the topic metadata is set forth in a hierarchical format, and the delta set of topic metadata is a hierarchical document set forth in a hierarchical differential language (**Wu**, c 9:42-49; c 10:64-67; c11 c1-7; EN: ¶ 8 applies; the IBM DB2 is a DBMS which has tables or hierarchy and the coding of such tables would be a language of differential values).

Claim 13

Wu anticipates the update engine stores the update from each help library serially (**Wu**, c 9:42-49; EN: ¶ 8 applies; all data is stored serially in that one piece of data is stored after another piece of data).

Claim 14

Wu anticipates the update engine aggregates the updates from multiple help libraries and then stores the aggregated updates (**Wu**, c 9:42-49; c: 18-21; EN: ¶ 8 applies; update by its nature is an aggregate process ... albeit some process are more aggregate than others).

Claim 15

Wu anticipates the help topics include topics on a member of a group consisting of help, suggested samples, suggested next steps, suggested templates, suggested libraries, and combinations thereof (**Wu**, c 8:52-67; c 9:1-3; EN: ¶ 8 applies; the examples cited are not functionally distinct in the operation of a user help system).

Claim 16

Wu anticipates the application includes a plurality of components that operate to effectuate application functions, each component of the application being constructed to describe a current context of the component representative of a current state of the component, at least some of the components being active at any one time, the help engine operating to receive the current context from each active component, to dynamically build a current overall context of the application based on each received

current context, to locate help topics based on the current overall context, and to filter and prioritize the located help topics (**Wu**, abstract; c 8:52-67; c 9:1-3).

Claim 17

Wu anticipates each help library includes a receive interface, and the help engine includes a complementary post interface for assisting the user in posting a help topic composed thereby to a help library by way of the receive interface thereof, the post interface of the help engine receiving the composed help topic and packaging same and related information in a predetermined format, and sending the packaged help topic 18 to the help library by way of the receive interface thereof, the help library upon receiving the packaged help topic un-packaging and storing as a posted help topic (**Wu**, abstract; Fig. 1).

Claim 18

Wu anticipates the help library prior to storing the help topic submitting same for review by a reviewer (**Wu**, abstract; c 11:8-13; EN: the reviewer would be the system).

Claim 19

Wu anticipates the post interface upon receiving the composed help topic also receives from the user keywords and/or attributes to be ascribed to the composed identified help topic (**Wu**, c 10:64-67; c 11:1-7).

Claim 20

Wu anticipates the post interface upon receiving the composed help topic also receives from a current context of the application keywords and/or attributes to be ascribed to the composed identified help topic (**Wu**, c 10:64-67; c 11:1-7).

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Claim 21

Wu anticipates the post interface upon receiving the composed help topic also receives from the user additional information relating to the composed help topic including at least one of a title, a summary, and an author (**Wu**, c 10:64-67; c 11:1-7; EN: ¶ 8 applies, the keyword is the title).

Claim 22

Wu anticipates the post interface upon receiving the composed help topic also receives from the user a selection of at least one help library to receive the composed help topic (**Wu**, c 10:64-67; c 11:1-7; EN: ¶ 8 applies, such is the main library).

Claim 23

Wu anticipates the help engine sending a search request to a central store and the central store receiving the search request (**Wu**, abstract; EN: help engine is the system software; central store is within the IBM DB2 system); the central store based on the search request reviewing topic metadata stored therein and locating pieces of topic metadata relevant to the search request, each located piece of topic metadata corresponding to a help topic available to the user from a help library by way of the computer (**Wu**, abstract; c 10:64-67; c 11:1-7); the central store returning information from each located piece of topic metadata, the returned information including for each piece of topic metadata a set of attributes relating to the corresponding help topic and display information (**Wu**, abstract; c 10:64-67; c 11:1-7); the help engine filtering each help topic based on the set of attributes thereof and displaying the display information relating to each filtered help topic to the user, the displayed information for each help

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topic including a summary of the help topic and an address from which the help topic may be obtained from the corresponding help library (**Wu**, abstract; c 10:64-67; c 11:1-7; c 3:12-28); the user reviewing the summary corresponding to each help topic to determine whether the help topic is of further interest (**Wu**, abstract; c 6:34-52); and if so, the user employing the address of the help topic of interest to obtain such help topic from the corresponding help library (**Wu**, abstract; c 6:53-55).

Claim 25

Wu anticipates the help topics include topics on a member of a group consisting of help, suggested samples, suggested next steps, suggested templates, suggested libraries, and combinations thereof (**Wu**, abstract; EN: the topics are all data and not functionally distinct in the operation of the invention ... the topics are descriptive matter).

Examination Considerations

5. The claims and only the claims form the metes and bounds of the invention. "Office personnel are to give the claims their broadest reasonable interpretation in light of the supporting disclosure. *In re Morris*, 127 F.3d 1048, 1054-55, 44USPQ2d 1023, 1027-28 (Fed. Cir. 1997). Limitations appearing in the specification but not recited in the claim are not read into the claim. *In re Prater*, 415 F.2d, 1393, 1404-05, 162 USPQ 541, 550-551 (CCPA 1969)" (MPEP p 2100-8, c 2, I 45-48; p 2100-9, c 1, I 1-4). The Examiner has full latitude to interpret each claim in the broadest reasonable sense.

Examiner will reference prior art using terminology familiar to one of ordinary skill in the art. Such an approach is broad in concept and can be either explicit or implicit in meaning.

6. Examiner's Notes are provided with the cited references to prior art to assist the applicant to better understand the nature of the prior art, application of such prior art and, as appropriate, to further indicate other prior art that maybe applied in other office actions. Such comments are entirely consistent with the intent and spirit of compact prosecution. However, and unless otherwise stated, the Examiner's Notes are not prior art but a link to prior art that one of ordinary skill in the art would find inherently appropriate.

7. Unless otherwise annotated, Examiner's statements are to be interpreted in reference to that of one of ordinary skill in the art. Statements made in reference to the condition of the disclosure constitute, on the face of it, the basis and such would be obvious to one of ordinary skill in the art, establishing thereby an inherent prima facie statement.

8. Examiner's Opinion: ¶¶ 5-7 apply. The Examiner has full latitude to interpret each claim in the broadest reasonable sense.

Conclusion

9. The prior art of record and not relied upon is considered pertinent to applicant's disclosure.

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- Yaung, USPN 6,405,215
- Cho et al, USPN 2003/0014383
- Woodmansee et al, USPN 2002/0178140
- Melmon et al, USPN 2002/0169771
- Lipkin, USPN 2002/0073080
- Goodman et al, USPN 7,020,697
- Al Stevens, Dr. Dobb's Journal, Help for Windows Help Authors

10. Claims 1-25 are rejected.

Correspondence Information

Any inquiry concerning this information or related to the subject disclosure should be directed to the Primary Examiner, Joseph P. Hirl, whose telephone number is (571) 272-3685. The Examiner can be reached on Monday – Thursday from 6:00 a.m. to 4:30 p.m.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, David R. Vincent can be reached at (571) 272-3080.

Any response to this office action should be mailed to:

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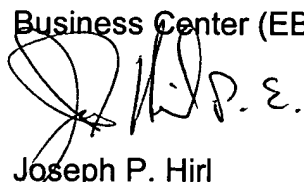
Alexandria, Virginia 22313,

(located on the first floor of the south side of the Randolph Building);

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have any questions on access to Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).


Joseph P. Hirl
Primary Examiner
April 13, 2006